

August 23, 2004
Case No.: 7780/18 (T00349)
Serial No. 10/040,288
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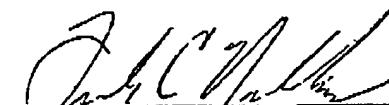
- REMARKS -

Independent claims 1 and 16 were rejected under section 102(e) over U.S. Patent No. 6,703,946 to Flick, while independent claim 31 was rejected under section 103(a) over Flick '946 in view of U.S. Patent No. 5,918,172 to Saunders et al. However, section 102(e) requires that the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent. Flick '946 was filed on March 25, 2002 and published on November 21, 2002, and therefore does not qualify as prior art under section 102(e).

This application is believed to be in condition for allowance, and such action is respectfully requested. The Examiner is invited to telephone Applicant's attorney to discuss any remaining matters.

Respectfully submitted,
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